

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHEVRON CORPORATION,

Plaintiff,

-against-

11 Civ. 0691 (LAK)

STEVEN DONZIGER, et al.,

Defendants.
----- x

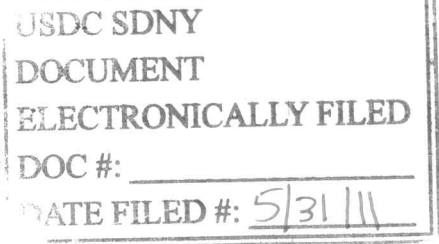
ORDER

LEWIS A. KAPLAN, *District Judge*.

Plaintiff Chevron Corporation (“Chevron”) having moved to bifurcate Count 9 for expedited discovery and trial [DI 199], defendants Donziger and the LAP Representatives having argued that the Court should sever Count 9 pursuant to Fed. R. Civ. P. 21 if it were disposed to order a separate trial on that count [DI 220, at 24; DI 224, at 28 n.13], the Court previously having ordered a separate trial on Count 9 and having reserved judgment as to severance pursuant to Rule 21, defendant Steven Donziger, the Law Offices of Steven R. Donziger, and Donziger & Associates, PLLC (the “Donziger Defendants”) having moved for leave to intervene with respect to Count 9, and the Court now having determined that severance of Count 9 is appropriate and that the Donziger Defendants shall have leave to intervene in the severed action for limited purposes as set forth in a separate Memorandum Opinion, it is hereby

ORDERED, as follows:

1. Count 9 of the amended complaint is hereby severed from the remainder of the action pursuant to Fed. R. Civ. P. 21 and shall proceed as a separate action (the “Count 9



Action”). The plaintiff in the Count 9 Action is Chevron Corporation. The defendants are the forty-seven individuals listed in Appendix A to the amended complaint in No. 11 Civ. 0691 (LAK) and Frente de Defensa de la Amazonia a/k/a Amazon Defense Front. The intervenors the Donziger Defendants.

2. The Clerk shall assign a separate docket number to the Count 9 Action, the caption of which shall include the parties listed in paragraph 1 of this order. The short form of that caption shall be:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
----- x
CHEVRON CORPORATION,

Plaintiff,

-against-

MARIA AGUINDA SALAZAR, et al., 11 Civ. [XXXX] (LAK)

Defendants,

-and-

STEVEN DONZIGER, et al.,


Intervenors.
----- x

3. All decisions, orders and rulings and other determinations heretofore made in 11 Civ. 0691 (LAK), including without limitation the certificate of default, the preliminary injunction and the scheduling order, shall remain in effect in the Count 9 Action.

4. The Donziger Defendants are excused from filing a proposed pleading in intervention.

SO ORDERED.

Dated: May 31, 2011



Lewis A. Kaplan
United States District Judge